

Application No. 10/721,730
Amendment dated January 19, 2005
Reply to Office Action of October 27, 2004

REMARKS

Claims 16-18 and 34-36 are pending in the application; the status of the claims is as follows:

Claims 16-18 and 34-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over "A Proposal on Digital Watermark in Document Image Communication and its Application to Realizing a Signature" by Komatsu et al ("Komatsu").

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received, is noted with appreciation.

To date, no Notice of Draftsperson's Patent Drawing Review has been received. Applicant respectfully requests receipt of this document when it becomes available. Please note that the original drawings filed in the patent application are "formal" drawings.

35 U.S.C. § 103(a) Rejection

The rejection of claims 16-18 and 34-36 under 35 U.S.C. § 103(a), as being unpatentable over Komatsu, is respectfully traversed based on the following.

The Komatsu article describes a system for embedding an encrypted code ("watermark") in an image (page 22, column 1, lines 18-25). The encrypted code is preferably secret information added to the image. (page 23, column 2, line 25 – page 24, column 1, line 4). "A digital watermark is the coding scheme that secret information is embedded into a document image similar to a watermark." (page 22, column 1, lines 23-26)

Application No. 10/721,730
Amendment dated January 19, 2005
Reply to Office Action of October 27, 2004

In contrast to the cited references, claim 16 includes:

an analyzer adapted to analyze said received code data to generate said image data;

a generator adapted to generate additional data based on said received code data; and

a synthesizer adapted to synthesize said additional data with said image data and to output said synthesized data.

Thus, the additional data synthesized by the synthesizer with the image data is generated from the received code data from which the image data is generated. Komatsu does not indicate any particular source for the information “embedded” into an image. It does not show or suggest generating additional data from the received code data used to generate the image data, and synthesizing that additional data with the image data. To support a *prima facie* case for obviousness, the reference must show or suggest every limitation of the claim. MPEP §2143.03. Therefore, claim 16 is not obvious over the cited references. Claims 17 and 18 are dependent upon claim 16 and thus include every limitation of claim 16. Therefore, claims 17 and 18 are also not obvious over the cited references.

Also in contrast to the cited references, claim 34 includes:

analyzing said received code data to generate said image data;
generating additional data based on said received code data; and
synthesizing said additional data with said image data and
outputting said synthesized data.,

As noted above, the cited references do not show or suggest generating additional data from the received code data used to generate the image data, and synthesizing that additional data with the image data. Thus, the cited references do not show or suggest every limitation of claim 34. Therefore, claim 34 is not obvious over the cited references. Claims 35 and 36 are dependent upon claim 34 and thus include every limitation of claim 34. Therefore, claims 35 and 36 are also not obvious over the cited references.

Application No. 10/721,730
Amendment dated January 19, 2005
Reply to Office Action of October 27, 2004

Accordingly, it is respectfully requested that the rejection of claims 16-18 and 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Komatsu, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Douglas A. Sorensen
Registration No. 31,570
Attorney for Applicant

DAS/lb:bar:jjk
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3482
Main: (214) 981-3300
Facsimile: (214) 981-3400
January 19, 2005